



OFFICE OF AGRICULTURE

Isiah Leggett
County Executive

Jeremy V. Criss
Director

Frequently Asked Questions concerning the Fuel-Energy Tax Program for Certified Agricultural Producers

What qualifies my agricultural operation to be considered for Residential Fuel Rates?

The County determines whether or not you are enrolled with one of the following programs or agencies: the Montgomery Soil Conservation District, the Maryland Nutrient Management Program, the United States Department of Agriculture's Farm Service Agency, the Montgomery County Extension, or the Montgomery County Farmers Market. Maryland Department of Agriculture Certified Organic Growers are also eligible for the program, as are most AEP, MALPF, BLT, RLP and MET (farmland preservation) properties. If you do not fall into any of these categories but feel that you run a bona fide farming operation, please contact Jeremy Criss at 301-590-2830. Your operation may be given individual consideration depending on the circumstances.

How will the Fuel-Energy Tax Program help me?

Montgomery County imposes a tax on all fuel-energy that is used on your property. All sources of fuel-energy that are delivered to a farm and used as part of an agricultural operation are normally taxed at a higher non-residential rate as compared to fuel energy provided for residential use. If you are a Certified Agricultural Producer, the lower residential tax rate can be charged on your farm fuel-energy needs.

How do I know if I am being charged the correct tax rate for the fuel-energy that I use?

Check your monthly fuel-energy billing statement to see if you are being charged the residential rates for your fuel-energy as outlined in the attached Resolution.

What kinds of energy are eligible for the Certified Agricultural Producers Program?

- Electricity used for agricultural purposes that is metered separately from the meter on your house
- Dyed diesel fuel that is delivered to your farm for off-road use
- Liquid petroleum (LP) gas that is delivered to the farm for non-residential use

Fuel-Energy Taxes that are charged at a residential rate represents a savings from the non-residential tax rate.

Will the Certified Agricultural Producer designation affect the base kilowatt-hour rate charged by my power company?

No. It is important to note that the base kilowatt-hour rate charged is independent of the tax that is levied. The Certified Agricultural Producers Program will only affect the County *tax* rate you are charged per kilowatt hour, and cannot be used to alter the base rate you are charged per kilowatt hour.

If I have only one electric meter on my property, and it is attached to my house, will this program help me?

No. Electric meters that are attached to a residential structure are already taxed at a residential rate. If you have another electric meter attached to an outbuilding that is used for agricultural purposes, check your fuel-energy billing statement for the tax rate charged on the second electric meter. If the second meter is charged at the higher non-residential rate, the Certified Agricultural Producers program can help you.

If I have fuel oil delivered to my property, will this program help me?

Maybe. Fuel oil that is used for heating your home should already be taxed at the residential rate. This type of fuel No. 2 is dyed diesel fuel that can be used for off-road vehicles and farm equipment. If you have fuel oil delivered for off-road vehicles and farm equipment, check your fuel-energy billing statement for the tax rate you are being charged. You will only realize a savings on fuel oil for agricultural use that is charged at a non-residential rate.

I operate an equestrian facility. Is my facility eligible for consideration in this program?

Yes. Based on changes in County Code, an equestrian facility is eligible for consideration as a Certified Agricultural Producer. Note that your facility must still meet at least one of the seven application criteria to be certified.

If I am approved as a Certified Agricultural Producer, will my fuel- energy suppliers be notified?

Yes. The County will provide the suppliers with a list of Certified Agricultural Producers. However, it is in your best interest to contact your fuel-energy supplier(s) and inform them of your certification status including your Certification number.

Resolution No.: 17-1123
Introduced: April 1, 2014
Adopted: May 22, 2014

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: Councilmembers Berliner and Andrews

SUBJECT: Fuel/energy Tax - Rates

Background

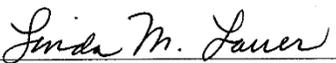
1. Section 52-14 of the County Code levies a tax on persons transmitting, distributing, manufacturing, producing, or supplying electricity, gas, steam, coal, fuel, oil, or liquefied petroleum gas in the County.
2. Section 52-14 also provides that the County Council may amend the fuel/energy tax rates by resolution, after a public hearing advertised as required by Section 52-17. A public hearing was held on this resolution on April 22, 2014
3. The Council finds that it is fair and equitable to continue different rates for fuels and energy transmitted, distributed, manufactured, produced, or supplied for residential and agricultural purposes and for non-residential purposes.

Action

The County Council for Montgomery County, Maryland approves the following resolution:

1. On and after July 1, 2014, the fuel/energy tax rates levied under Section 52-14 of the County Code are specified on Schedule A, attached to this resolution.
2. This Resolution supersedes Resolution 17-774.

This is a correct copy of Council action.



Linda M. Lauer, Clerk of the Council

SCHEDULE A (effective July 1, 2014)

- (a) For fuel-energy transmitted, distributed, manufactured, produced, or supplied for residential and agricultural purposes:

FUEL-ENERGY	TAX RATE
Electricity (per kilowatt hr)	\$0.01106
Natural Gas (per therm)	\$0.09515
Steam (per therm)	\$0.12428
Coal (per ton)	\$28.14231
Fuel oil (per gallon)	
No. 1	\$0.13637
No. 2	\$0.14146
No. 3	\$0.14146
No. 4	\$0.14478
No. 5	\$0.14758
No. 6	\$0.15090
Liquefied petroleum gas (per pound)	\$0.02056

- (b) For fuel-energy transmitted, distributed, manufactured, produced, or supplied for non-residential purposes:

FUEL-ENERGY	TAX RATE
Electricity (per kilowatt hr)	\$0.01978
Natural Gas (per therm)	\$0.17026
Steam (per therm)	\$0.22324
Coal (per ton)	\$50.54516
Fuel oil (per gallon)	
No. 1	\$0.24399
No. 2	\$0.25311
No. 3	\$0.25311
No. 4	\$0.25905
No. 5	\$0.26406
No. 6	\$0.26999
Liquefied petroleum gas (per pound)	\$0.03679